IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

WP(C).No. 2191 of 2007(J)

PETITIONER:

K.K.GOPALAN,
KURUVATHAZHA HOUSE, EZHACHERY P.O.,
PALAI.

BY ADV. SRI.ANANDARAJAN.N
SRI.K.K.MANGALANANDAN

RESPONDENTS:

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1. THE KERALA STATE ROAD TRANSPORT CORPORATION, REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM-23.

2. THE FINANCIAL ADVISOR AND CHIEF ACCOUNTS OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM-23.

3. THE ASSISTANT PERSONAL OFFICER(PENSION), KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM-23.

4. THE DISTRICT TRANSPORT OFFICER, K.S.R.T.C., PALA.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE, J.

W.P.(C)NO. 2191 of 2007

Dated this 18th day of January, 2007

JUDGMENT

Sri.K.Prabhakaran, the learned Standing Counsel takes notice and seeks time to get instructions. However, I notice that the petitioner retired from service of the KSRTC on 30.6.2002, which means that even as per the guidelines formulated on the basis of the judgment of this court in W.A. No.289/2001, his turn for getting retiral benefits is drawing near. Exts.P2 and P3 documents issued by the Amrita Institute of Medical Sciences & Research Centre, Kochi will certainly show that the petitioner's case that he has been advised to undergo heart surgery immediately is correct. Under these circumstances, I follow the principles laid down by the subsequent Division Bench of this court in W.A. No. 1775/2004 and dispose of this writ petition by passing the following directions:

2. The respondents will release all the amounts due to the petitioner on account of DCRG as well as Commutted Value of pension within one month of receiving a copy of this judgment. Rupees Two Lakhs from out of the above amount will be paid by

means of an instrument drawn Account Payee in favour of the Amrita Institute of a Medical Sciences and research Centre.

PIUS C.KURIAKOSE
Judge

dpk